

**SECOND DECLARATION OF COLLEEN ROBBINS**  
**Pursuant to 28 U.S.C. § 1746**

I, Colleen Robbins, have personal knowledge of the facts and matters set forth below. If called as a witness, I could and would testify as follows:

1. I am one of the attorneys representing the Federal Trade Commission (“FTC”) in an enforcement action against TheFBAMachine Inc.; Passive Scaling Inc.; Sales Support New Jersey Inc.; 1HR Deliveries Inc.; Hourly Relief Inc.; 3PL Logistic Automation Inc.; FBA Support NJ Corp.; Daily Distro LLC; Closter Green Corp., doing business as Wraith & Co.; Bratislav Rozenfeld, also known as Steven Rozenfeld and Steven Rozen, and Amanda Rozenfeld, also known as Amanda Peremen and Amanada Peremen (collectively, “Defendants”). My business address is 600 Pennsylvania Avenue, NW, Mailstop CC-8528, Washington, DC 20580.
2. I am over twenty-one years old and am a citizen of the United States. I am a member in good standing of the New Jersey Bar (Bar No. 2882710) and the New York Bar (Bar No. 027091997).
3. As part of my work on this matter, my colleague Frances Kern and I received an email from Receiver’s counsel along with text messages between Defendant Steven Rozenfeld and a consumer. Attached as **Attachment A** is a true and correct copy of this email and text string.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 22, 2024  
Washington, D.C.

*Colleen Robbins*  
\_\_\_\_\_  
Colleen Robbins

From: Michele M. Dudas  
To: Kern, Frances; Robbins, Colleen B.  
Cc: Anthony Sodono; Sari B. Placona  
Subject: FTC v. TheFBAMachine, Inc., et al. | Communications with A [REDACTED] P [REDACTED]  
Date: Thursday, August 29, 2024 6:15:20 AM

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On Tuesday, August 27, 2024, I received an e-mail from A [REDACTED] P [REDACTED] [REDACTED]; [REDACTED], who advised that he received my contact information from the "broker" at the North Bergen property. A [REDACTED] stated that he is a former customer of Passive Scaling. His father (same name) is still a current customer of Passive Scaling under the name of Expressive Mailing, LLC. Unless otherwise noted, when I refer to A [REDACTED] it will relate to the son and not the father. They had not received any contact prior to this time. A [REDACTED] and his father are located in California and he stated that his understanding was that the bad actors were located there. He provided me with the names of Justin Jeffers and Asante Monadjemi, which you have confirmed are associated with Optimize Digital.

In addition to his day job, A [REDACTED] advises that he is a private investigator (side gig and former law enforcement – his words). I spoke with both the father and son on Tuesday. The father stated that he was about \$100,000 in and provided general complaints about the business, particularly with respect to never receiving any information, or credits, for returns (which we know from interviewing the former North Bergen warehouse were never processed and either discarded or re-sold by one or more of the receivership entities). A [REDACTED] apparently did not feel easy with the company and was out in about 7 months, and was fully refunded his \$25,000 investment without any real issue. His father was in his 70s and wanted to test the waters a little more.

A [REDACTED] continued to contact me via e-mail on Wednesday during the day, and I responded that Messrs. Jeffer and Monadjemi were not named defendants and provided Mr. Rozenfeld's name. A [REDACTED] stated that he recalled dealing with Steven when it came to obtaining his refund. He then proceeded to provide me with information relating to Steven (that we already knew, such as the New Jersey address).

A [REDACTED] then advised that he contacted Steven under the guise that he wanted to open an Amazon store as a new customer. A [REDACTED] was e-mailing me in real time as he was speaking with Steven. He asked what kind of information we wanted and I disclosed that if he wanted to do this, it was voluntary and I was not putting him up to anything, as the information he obtained would be relayed to the FTC and likely included in pleadings in the litigation. A [REDACTED] said he understood and was willing to speak with me and provide information if it could help his Dad recoup his damages. Since we were contacted randomly by A [REDACTED] and do not believe the stores are known, I only provided information that was contained in the Temporary Receiver's Report and otherwise part of the public record.

I asked what number he used and he provided Steven's cell phone: [REDACTED]-9040. A [REDACTED] stated that Steven was skeptical and asked how A [REDACTED] got his number. A [REDACTED] said that he found it on a Reddit board after doing a Google search. Steven said he was originally from New York, but is currently located in Florida and will be back in New York for the day today, August 29, 2024. Steven referred A [REDACTED] to his You Tube account. He had A [REDACTED] contact him on Instagram before speaking more freely, but was still guarded. Steven stated that he

had warehouses “all over the country” and explained his business model. A [REDACTED] said he made reference to “consulting.” Steven also made some kind of disclosure regarding the FTC. A [REDACTED] asked for a contract to review, and Steven told him that it would be premature until they knew what kind of services were needed.

A [REDACTED] asked what kind of information we needed. I asked him to find out the name of his business and where the main warehouse is located, if possible. He was going to continue engaging with Steven over the next few days.

A [REDACTED] indicated he was willing to provide screen shots of his texts with Steven and indicated a willingness of executing an Affidavit, but I have not yet received any information.

Michele M. Dudas, Partner  
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This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail or contact the sender at McManimon, Scotland & Baumann, LLC by phone at (973) 622-1800 and delete the message. Thank you very much.

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**Robbins, Colleen B.**

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**From:** Michele M. Dudas <MDudas@MSBNJ.COM>  
**Sent:** Thursday, August 29, 2024 12:34 PM  
**To:** Kern, Frances; Robbins, Colleen B.  
**Cc:** Anthony Sodono; Sari B. Placona  
**Subject:** FW: Amazon reseller at 2011 8th street

Michele M. Dudas, Partner  
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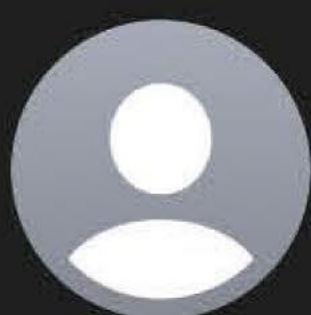
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**From:** A [REDACTED] P [REDACTED] >  
**Sent:** Thursday, August 29, 2024 11:47 AM  
**To:** Michele M. Dudas <MDudas@MSBNJ.COM>  
**Subject:** Re: Amazon reseller at 2011 8th street



8:42

LTE



+ [REDACTED] -9040 >

iMessage  
Yesterday 1:53 PM

Hey do you do Ecommerce ?

???

I need to find someone to set up a storefront for me

?

Who is this

A [REDACTED]. I was referred to you

I saw your contact info online

I have a team that wants to put a large Amazon store into operation

We have a good amount to invest in it

Most of my team is in New York. I'm in California

Cool. Who referred you?

It was on some Reddit board about starting up sites

Maybe it's the wrong number lol

My phone number is on Reddit ?



iMessage





9040 &gt;

My phone number is on Reddit ?

Can you send me that you tube info

Yeah it's Thefbamachine

Thanks. Trying to get ahold of manny  
to see his availability tomorrow

What's his ig ?

Or yours

You have ppl ?

Yes

I'm at 120 hours. Looping for Dpe

Nice. I fly a bonanza a36



Come to California I will take you for a  
flight

What have you been flying ? Cessna ?

Why so many hours and no license

no Dpe's

Damn that sucks. They should have



iMessage

ARM 3900384A







-9040 &gt;

no Dpe s

Damn that sucks. They should have been able to schedule it a few months in advance

But endorsement is only good for 60 days lol

Schedule it then keep flying and get endorsement

I went thru like 12 CFO

Cfi

And 6 schools



That's my plane

Nice

You ever come to cali

Nice YouTube stuff



iMessage: 2163900005A





-9040 &gt;

Nice YouTube stuff

What's your business name ?

I have a few question due to an ongoing ftc issue.

FTC?

Yeah they are responsible with advertising on internet

Ohh what's the issue

7 customer complaints from 2022

Why ??? For what ?

For a program we sold

Oh ok. What happened with it

Nothing.

It was actually a third party advertising company I used and they did all the sales

Oh ok. Interesting

What's your business now ?

That's it



iMessage





4564



-9040 >

That's it

It's just ongoing

For now

Oh man. Sorry about all that

That sucks

It's not that bad

lol that's good

Do you have a Contract you can send me or something to review on your services

It sounds like your not really sure what your looking for so may not make sense to draft a contract until then

Ok. Makes sense. Can you shoot me a series or questions so we can pin that down.



I have a message out to manny as well about tomorrow. I know he is in meetings

You ever come to California ?

Not lately



iMessage

ARM 3900387A





-9040 &gt;

Not lately

Oh bummer. Was going to say we can go flying

Would love that

Can we fly to Sedona ? How long is that ?

A little long.

Might be a little far

What's in Sedona

Nothing

Oh lol

HA  
HA

The airport is crazy though

You ever been there ?

No never

That's weird. You have plane and live in California but never been there.

Where you been ? Catalina ?

lol it's too far to fly in my plane



iMessage

2163900368A





-9040

lol it's too far to fly in my plane

I'm in Sacramento so Northern California

It's like 3 hours no ? Maybe 4?

Ooooooh

About 4 but pushing the fuel limit

And in the small plane it gets cramped

So 5 with a stop.

Ya

That's not that bad. 2 hours at a time

Ya that's true. If done that way then not bad

You should check it out. Lots of amazing get away retreats

Will do.

What info do you need from so we can kind of move things along and see if this will work

Don't you guys need to decide which model you want to do ?



iMessage

ARM 3900389A







+ [REDACTED] 9040 &gt;

Don't you guys need to decide which model you want to do ?

I thought we decided on the buy product model. Didn't you say that's the best with having capital

Tap to Load Preview

linkedin.com



Is that you?

No lol that's my dad

linkedin.com



It's not opening for me. LinkedIn glitching

How do you know manny ?



iMessage

000300A





-9040

A good friend of mine introduced me to him a few years ago. He was getting him some funding so have known him for a few years now

Are you only there tomorrow ? He might not be able to do tomorrow. I'm trying to see if he can make it work

Yes

Damn ok let me see what he says back. If he can makw it work

He said you can meet him at his office after 2

I'm on really tight schedule tomorrow



iMessage

2163906381A





-9040 &gt;

I'm on really tight schedule tomorrow so I'm not sure I'll have time to make it to queens.

What's his address ?

[REDACTED]

Also , can we do a phone call prior to? I don't really just fly across state lines to meet everyone that calls me off the internet

No offense. You guys seem like nice people !!!

Ya for sure. Well aren't you going there anyways lol so not really flying across state lines to meet

True. But I wasn't going to queens so that's cross city at least

Gotcha

I might have time. I can't say right now.



He is going to try and call me around 12 New York time and I can patch you in.

Just let me know how your day is looking



iMessage

ARM63000302A







-9040 &gt;

Just let me know how your day is looking

So ya like we mentioned the buy product model. Right? You have the warehouses you said

Right

Nice. Where are they located?

All over the country

Strategically.

Damn that is so awesome.

Yup

What kind of products you want to buy?

1 Reply

Do you own them or use 3rd party companies?

1 Reply

What kind of products you want to buy?

Isn't that where you come in haha



iMessage AR163900393A





-9040 &gt;

What are the best kind of products

Do you own them or use 3rd party companies?

3pl. It's better for risk and liabilities.

Nice

Haven't everything under one ownership puts you at risk if all your inventory is with one company

We work with a bunch depending where we need the inventory

Ya that's true

Oh nice.

So what's the hot product

Ideally it's something that exclusive to yourself

So you don't compete with millions of newcomers lowering margins

Yes I like that. What kind of margins we talking about

Each product is different



iMessage

AR163B00304A





9040

Each product is different

Ok. Well that's something we want you to manage

That's your expertise



What are you fees and how does all that work

It's not a one size fits all. Imagine I told everyone yes that comes to me with 500k

lol

Would be deep trouble and a bunch of negative reviews

Yes I imagine that.

Plus landscape has changed a lot since I started almost a decade ago

What do you mean

But more importantly in like the last 6 months even

We just started



iMessage

AR163B06005A







9040

months even

It's not as easy to start.

You probably made a killing early on

Well that sucks

What other options have you guys considered

To get started

A bunch of gurus out there

Have you spoken to any?

Haven't really dove into it a ton. Just a few other companies but they seemed like scammy

How so

Foreigners with accents. Wanted to talk on WhatsApp. Didn't really engage. Wanted money right away. Had unrealistic promises

Anyone who wants to use WhatsApp only is shady lol

What about the domestic gurus ?

There's a bunch that charge 35k to build you a business. Have you spoken to those ?



iMessage

+1 390 330 6A





-9040

Anyone who wants to use WhatsApp only is shady lol

What about the domestic gurus ?

There's a bunch that charge 35k to build you a business. Have you spoken to those ?

Haven't located any of those

No

Who are they

There's a bunch

If you were on Reddit you should of came across a bunch

Ok. Like I said all I have spoken to wanted to talk on WhatsApp or were out of the country or they had unrealistic promises

I need a partner that is in this with us

Yesterday 7:45 PM

?

Today 8:08 AM

Just checking in

Delivered



iMessage

